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E. Evans Wohlforth, Jr. GIBBONS P.C.

One Gateway Center Newark, New Jersey 07102-5310

Telephone: 973-596-4879
Facsimile: 973-639-6486

ewohlforth@gibbonslaw.com

Attorneys for Third-Party Defendant

Connecticut General Life Insurance Co.

(improperly named as 'CIGNA Health Care')

RECEIVED

NOV 2 4 2008

AT 8:30____M WILLIAM T. WALSH CLERK

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

JERSEY SHORE UNIVERSITY MEDICAL CENTER,

Plaintiff,

VS.

GEORGE AND ANGELA BURKS his wife, Defendants Third-Party Plaintiff,

VS.

CIGNA HEALTH CARE,

Third-Party Defendant.

DOCUMENT FILED ELECTRONICALLY

Civil Action No.: 3:08-cv-05376 (FLW)(JJH)

STIPULATION AND CONSENT ORDER OF REMAND

[Matter originally pending in the Superior Court of New Jersey, Law Division, Monmouth County under the docket number MON-L-4206-08 and consolidated under MON-L-3019-07.]

Defendant Connecticut General Life Insurance Co. ("CGLIC") (CIGNA Health Care being its service mark, improperly named as a defendant in this matter), and Plaintiff Jersey Shore University Medical Center and Defendant/Third Party Plaintiffs George and Angela Burks (collectively "the Parties"), for their Stipulation and Consent Order of Remand, state that whereas:

- On October 29, 2008, Defendant CGLIC removed the present action from the Superior Court of New Jersey, Monmouth County, to the United States District Court for the District of New Jersey, pursuant to 28 U.S.C. §§ 1331 (Federal Question), 1441, and 1446.
- On October 27, 2008, Superior Court of New Jersey consolidated the abovecaptioned matter (Docket No. MON-L-4206-08) with the matter titled <u>Burks v. Mechan.</u> Docket No. MON-L-3019-07.
- The parties having agreed as indicated by the signatures of counsel appearing below that this action should be remanded to State court where it was originally brought.

TT IS HEREBY STIPULATED AND AGREED that this action will be remanded to the Superior Court of New Jersey, Law Division, Monmonth County where it originally was brought, under Index No. MON-L-4206-08 and consolidated, under Index No MON-L-3019-07.

CELENTANO, STADTMAUER & WALENTOWICZ, LLP

Notchview Office Park 1035 Route 46 East

P.O. Box 2594 Chifton, New Tersey 07015-2594

Steven Stadyments 154.

Attarneys for the Plaintiff
North Jersey Univ. Med. Ctr.

Dated: Nov. 2008

DRAZIN AND WARSHAW, P.C. 25 Reckless Place

P.O. Box 8909 Red Bank, New Jersey 07701

Dennis A. Drazin, Esq.
Attorneys for the Dependant/Third-Party
Plaintiffs George and Angela Burks

Tiated: Nov. ___ 2008

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1. On October 29, 2008, Defendant CGLIC removed the present action from the Superior Court of New Jersey, Monmouth County, to the United States District Court for the District of New Jersey, pursuant to 28 U.S.C. §§ 1331 (Federal Question), 1441, and 1446.

- 2. On October 27, 2008, Superior Court of New Jersey consolidated the above-captioned matter (Docket No. MON-L-4206-08) with the matter titled <u>Burks v. Meshan</u>, Docket No. MON-L-3019-07.
- 3. The parties having agreed as indicated by the signatures of counsel appearing below that this action should be remanded to State court where it was originally brought.

TT IS HEREBY STIPULATED AND AGREED that this action will be remanded to the Superior Court of New Jersey, Law Division, Monmouth County where it originally was brought, under Index No. MON-L-4206-08 and consolidated, under Index No MON-L-3019-07.

CELENTANO, STADTMAUER & WALENTOWICZ, LLP
Notchview Office Park
1035 Route 46 East
P.O. Box 2594
Clifton, New Jersey 07015-2594

Steven Stadtmauer, Esq.

Attorneys for the Plaintiff

North Jersey Univ. Med. Ctr.

Dated: Nov. ___, 2008

DRAZIN AND WARSHAW, P.C. 25 Reckiess Piace P.O. Box 8909 Red Bank, New Jersey 07701

Dennis A. Drazin, Esq.

Attorneys for the Dependant/Third-Party
Plaintiffs George and Angela Burks

Dated: Nov. ___, 2008

GIBBONS P.C.

One Gateway Center

Newark, New Jersey 07102-5310

E. Evans Wohlforth, Jr., Esq.

Attorneys for Third-Party Defendant

Connecticut General Life Insurance Co.

(improperly named as 'CIGNA Health Care')

Dated: Nov. 222008

AND IT IS this __ day of November 2008

SO ORDERED that this matter be and hereby is remanded to the Superior Court of New Jersey, Law Division, Nonmore Comm.

Hon, Freda L. Wolfson II S D I